IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

JORGE RAMOS,	)	
	)	No. 13-cv-07773
Plaintiff,	)	
vs.	)	Hon. Manish S. Shah
	)	
CITY OF CHICAGO,	)	
a municipal corporation,	)	
OFFICER RICHARD YI, #18009,	)	
OFFICER PANOS THEODORIDES, #5383,	)	
	)	
Defendants.	)	

CORRECTED THIRD AMENDED COMPLAINT

Jurisdiction/Venue

1. This incident occurred on or about June 3, 2013, in the City of Chicago, Cook

   County, Illinois.

2. The jurisdiction of this Court is invoked pursuant to the Civil Rights Act, 42 U.S.C. §

   1983, § 1988, the judicial code 28 U.S.C. § 1331 and § 1343(a); the Constitution of

   the United States, and pendent jurisdiction, as provided under U.S.C. § 1367(a).

Parties

3. At all relevant times pertaining to this occurrence, Plaintiff Jorge Ramos was a

   resident of the Northern District of Illinois.

4. At the time of the occurrence, Defendant City of Chicago was a municipal

   corporation, and the principal employer of Defendant Officers Yi and Theodorides,

   who were acting under color of law and in the scope of their employment with

   Defendant City of Chicago as duly sworn police officers.

Facts

5. On or about June 3, 2013, Plaintiff was seized by Defendant Officers on a public way in the City of Chicago.

6. At that time and location, Defendant Yi stopped, searched, seized, battered and beat Plaintiff for no lawful reason, causing him bodily and emotional injuries.

7. The actions of the Defendant Yi constituted an unreasonable stop, search, and seizure, and an unreasonable use of force.

8. During the incident, Defendant Yi willfully and wantonly and without lawful justification intentionally caused bodily harm to Plaintiff.

9. Defendant Yi did not have a reasonable basis for using the force used against Plaintiff.

10. Defendant Theodorides had the reasonable opportunity to prevent the search, seizure, and excessive use of force by Officer Yi, but failed to do so.

11. As the proximate result of all the aforementioned actions by Defendant Officers, Plaintiff suffered bodily injury, pain and suffering, emotional distress, and other pecuniary damages.

12. Defendant Yi's unlawful search and seizure, and his use of excessive force, and Defendant Theodorides' failure to intervene to prevent the unlawful search and seizure, and his failure to prevent use of excessive force, violated Plaintiff's rights under the Fourth Amendment to the United States Constitution, incorporated to the states and municipalities through the Fourteenth Amendment, to be secure in his person, papers and effects against unreasonable searches and seizures and thus violated 42 U.S.C. § 1983.

13. As the proximate result of all of the aforementioned actions by Defendant Officers,

Plaintiff suffered bodily injury, pain and suffering, emotional distress, and expense.

14. Defendant City of Chicago is the indemnifying entity for the actions described above of Defendant Officers, who took their actions while acting under the color of law and in the course and scope of their employment with the City of Chicago.

15. Plaintiff brings a claim for unreasonable search and seizure and a claim for excessive force against Officer Yi, a claim for failure to prevent the unreasonable search and seizure and use of excessive force against Officer Theodorides, and an indemnification claim against the City of Chicago.

WHEREFORE, Plaintiff demands compensatory and punitive damages against the Defendants, including costs and other relief, and, should Defendant Officers be found liable on one or more of the claims set forth above, Plaintiff demands that Defendant City of Chicago be found liable for any judgment (other than punitive damages) he obtains thereon.

PLAINTIFF DEMANDS TRIAL BY JURY

Respectfully submitted,

By: s/ Iveliz Maria Orellano

Iveliz Maria Orellano,
One of the Plaintiff's Attorneys.

Iveliz Maria Orellano
DVORAK LAW OFFICES, LLC
140 S. Dearborn, Suite 404
Chicago, IL 60603
(773) 218-6854
iveliz.m.orellano@gmail.com